

MOTION BY SUPERVISOR YVONNE B. BURKE

NOVEMBER 5, 2008

Local governments throughout California are working hard to meet environmental mandates to reduce landfill disposal of solid waste, prevent hazardous wastes from being improperly disposed, and keep our rivers, streams and waterways free of trash. These unfunded mandates come at a time local governments are struggling with significant budgetary constraints.

At the same time, the manufacturers of products currently have no financial incentive or legal requirement to take responsibility for the impacts their products have on public health and the environment after consumption. Although many manufacturers have voluntarily taken additional responsibility for their products, for example by reducing packaging or increasing recycled content in their products, most have not been able to do the same due to the need for investment and/or the risk of being less competitive as a result.

The concept of Product Stewardship, also referred to as Extended Producer Responsibility (EPR), seeks to create shared responsibility mechanisms for manufacturers to mitigate or even eliminate the negative impacts of their products at the end of life. These mechanisms include legal requirements to phase out toxic materials or to take back products at the end of life, or financial incentives to redesign

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MOLINA _____

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products or reduce excess packaging, among other approaches. By leveling the playing field, and adapting mechanisms specific to each product, EPR allows the marketplace to develop the most cost effective methods for reducing impacts of that particular product. The County's legislative policies include support for EPR as an effective method of reducing the burden on local governments while meeting environmental mandates.

The California Product Stewardship Council is a nonprofit organization formed by local governments to advance the implementation of EPR policies in California, and has invited local governments and other interested stakeholders in California to join. The County's participation in the California Product Stewardship Council will ensure the County's support for EPR policies will be coordinated with local governments throughout the State, and that efforts to enact EPR policies will be more effective.

I, THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Adopt the enclosed Resolution supporting Extended Producer Responsibility.

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**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES**

SUPPORTING EXTENDED PRODUCER RESPONSIBILITY

WHEREAS, residents and businesses Countywide generate approximately 24 million tons of waste materials and products on an annual basis; and

WHEREAS, State law (AB 939, 1989 statutes) requires each jurisdiction in Los Angeles County to divert fifty percent of all waste generated from disposal, and to ensure the proper management of all waste materials whether they are diverted or disposed; and

WHEREAS, in February 2006, California expanded the list of products that are deemed hazardous and therefore banned from landfill disposal, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, as well as electronic devices such as computers, video cassette recorders, microwave ovens, cellular phones, cordless phones, printers, and radios; and

WHEREAS, due to the significant environmental and human health impacts associated with their improper management, the list of products determined to be hazardous and therefore banned from landfills is expected to grow, as demonstrated by the ban of treated wood in January 2007 and medical syringes in September 2008; and

WHEREAS, state policies currently make local governments responsible for achieving waste diversion goals, implementing programs to comply with product disposal bans, and addressing a host of products that have a disproportionate impact on the environment and quality of life of our residents, creating significant unfunded mandates; and

WHEREAS, Los Angeles County alone spends nearly \$10 million each year implementing the Countywide Household Hazardous and Electronic Waste Management Program to provide one avenue for residents to properly manage products and materials that are banned from landfill disposal; and

WHEREAS, Extended Producer Responsibility (EPR) is a policy approach in which manufacturers assume a shared responsibility for management of their products, including redesigning products to be more durable, easier to repair and recycle, and less toxic; and

WHEREAS, the County of Los Angeles has pursued and supported legislation and other statewide efforts to implement EPR policies, and has consistently supported the advancement of sustainability via policies such as the Energy and Environmental Policy adopted by the Board in 2007; and,

WHEREAS, the California Product Stewardship Council is a nonprofit organization of local governments and interested stakeholders working together to advance EPR policies in California, including legislation to establish a framework for prioritizing the most disproportionately challenging products and implementing the most effective EPR mechanisms to address those products; and

NOW, THEREFORE, BE IT RESOLVED THAT THE Board of Supervisors of the County of Los Angeles reaffirms its commitment to promoting EPR policies and directs our Sacramento legislative advocates to actively pursue legislation and Statewide policies that shift end-of-life management costs from local government to the manufacturers and incentivize the redesign of products to reduce their health and environmental impacts; and

BE IT FURTHER RESOLVED, that the Directors of Public Works and Internal Services or their designees are authorized and encouraged to jointly participate as a member of the California Product Stewardship Council; and

BE IT FURTHER RESOLVED, that the Energy and Environmental Policy Team is directed to evaluate and develop recommendations for producer responsibility policies that County departments can implement, such as leasing products rather than purchasing them, requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products at the end of their useful life.

The forgoing resolution was on the 5th day of November, 2008, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



SACHI A. HAMAI, Executive Officer-Clerk
of the Board of Supervisors of the County of
Los Angeles

By: Sachi A. Hamai
Deputy

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
COUNTY COUNSEL

By: Raymond G. Fortner, Jr.
Principal Deputy County Counsel